

COMMISSION OF FINE ARTS

Budget Justifications Fiscal Year 2013

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COMMISSION OF FINE ARTS

General Statement

The Commission of Fine Arts was established in 1910 (40 U.S.C. 104) to fill the need for a permanent agency whose members would be qualified to make available to the Government expert opinion on questions of art and architecture. The Commission's mission, as design proposals are brought before it, is to safeguard and improve the appearance and symbolic significance of Washington, D.C. as a capital for the benefit of the citizens of the United States, and foreign visitors. Specifically, the Commission provides knowledgeable advice on matters pertaining to architecture, landscape architecture, sculpture, painting, and the decorative arts to all branches and departments of the Federal and District of Columbia governments when such matters affect the National Capital. The Commission also must approve of the site and design of all commemorative works and memorials erected in the District of Columbia.

In addition, the Commission advises on the design of circulating and commemorative coinage and must approve the siting and design for national memorials, both in the United States and on foreign soil, in accordance with the American Battle Monuments Act and the Commemorative Works Act.

The Commission is composed of seven members appointed by the President. They serve without compensation, receiving only actual travel expenses relative to attending meetings. Since the Commission's inception, many distinguished architects, landscape architects, painters, sculptors, planners, and others in the field of fine arts have given freely of their time, experience, and professional skills in advising the President, the Congress, and Government agencies, both local and national, on matters involving the fine arts.

Specific functions as mandated by law require the Commission to:

- Advise executive departments of the Federal government on any matters of an aesthetic nature, especially those pertaining to architecture and landscape programs that affect the appearance of the National Capital.
- Advise on any matters of an aesthetic nature that may be put forward by committees of the Congress.
- Advise the President and members of the administration on aesthetic matters upon their request.

- Advise on the design of medals, seals, insignia, and circulating and commemorative coinage.
- Approve submissions by the American Battle Monuments Commission on matters pertaining to the location and design of memorials both foreign and domestic.
- Approve submissions under the Commemorative Works Act on matters pertaining to the location and design of memorials in and around the National Capital.
- Advise the District of Columbia government on all public construction, as well as private construction and the display of advertising in certain areas of the city as designated by Congress under the Shipstead-Luce and Old Georgetown acts.
- Advise the Department of State through Section 206 of the Foreign Missions Act on foreign chanceries in all areas under the jurisdiction of the Commission, including the International Center.
- Advise the National Capital Planning Commission in the selection of lands suitable for the development of the National Capital park, parkway, and playground system.

Lastly, the Commission has administered the National Capital Arts and Cultural Affairs program since 1988, which was created by the Congress to benefit nonprofit local cultural entities whose primary purpose is to provide the City with exhibits or performing arts.

In addition to those functions mandated by law:

Approve acquisitions as proposed by and for the Freer Gallery of Art in accordance with a codicil to the will of Charles Lang Freer.

Program Summary by Budget Activity

(dollar amounts in thousands)

| Appropriation | FY 2011 Enacted | FY 2012 Enacted | FY 2013 Request | FY 2013 \$ Change | % Change |
|---|--------------------|--------------------|--------------------|----------------------|----------|
| Salaries and Expenses | 2,289 | 2,396 | 2,175 | -221 | -9.2 |
| FTE | 11 | 11 | 10 | -1 | -9 |
| National Capital Arts and Cultural Affairs | 2,994 | 1,997 | 0 | -1,997 | -100 |
| FTE | -- | -- | -- | -- | -- |

Highlights of the FY 2013 Request

The Commission of Fine Arts requests a Salaries and Expenses appropriation of \$2,175,000 for FY 2013 to finance the expenses of the members of the Commission and the salaries and related costs necessary to support a small staff and maintain an efficient level of operations. This appropriation request represents a five percent decrease of \$114,000 below the FY 2011 Enacted Budget and \$221,000 below the FY 2012 Enacted Budget

For the FY 2013, the Agency's uncontrollable increases total \$69,000. The uncontrollable increases include: a \$1,000 uncontrollable increase in rental payments to GSA; a \$4,000 increase in security payments to the Department of Homeland Security; and a net \$64,000 uncontrollable increase for personnel compensation and benefits without a cost-of-living pay raise, which will be offset by a net reduction of \$168,000 in the categories of travel, purchases of goods and services, supplies, materials, equipment, printing and reproduction, travel and transportation. The offset also includes the elimination of a temporary Full-Time Employee position that supports the agency's publication and outreach program, which will be substantially diminished. This position was included in the Commission's FY 2009, FY 2010, FY 2011, and FY 2012 Enacted Budgets.

No funding is requested for the National Capital Arts and Cultural Affairs (NCACA) grant program in FY 2013.

Appropriation Language Sheet

COMMISSION OF FINE ARTS

Salaries and Expenses

For expenses of the Commission of Fine Arts under Chapter 91 of title 40, United States Code, [\$2,400,000] \$2,175,000: *Provided*, That the Commission is authorized to charge fees to cover the full costs of its publications, and such fees shall be credited to this account as an offsetting collection, to remain available until expended without further appropriation. *Provided further*, that the Commission is authorized to accept gifts, including objects, papers, artwork, drawings and artifacts that pertain to the history and design of the Nation's Capital or the history and activities of the Commission of Fine Arts, for the purpose of artistic display, study or education. (*Department of the Interior, Environment, and Related Agencies Appropriations Act, 2012*)

COMMISSION OF FINE ARTS
Salaries and Expenses
Uncontrollable and Related Cost Changes
(dollar amounts in thousands)

Additional cost in FY 2013:

| | 2012 2013 |
|---|--------------------------------|
| | <u>Enacted</u> <u>Change</u> |
| Pay raises without a cost of living increase..... | 1,199 / +\$64 |

The amount displayed represents the additional costs of funding estimated pay increases for GS-series employees and the associated pay rate changes made in other pay series. No cost of living increases are included.

Other Cost Changes:

| | 2012 2013 |
|-----------------------------|--------------------------------|
| | <u>Enacted</u> <u>Change</u> |
| Rental Payments to GSA..... | 243 / +\$1 |

The adjustment is for estimated changes in the costs payable to General Services Administration (GSA) resulting from changes in rates for office and non-office space as estimated by GSA.

| | 2012 2013 |
|-------------------------------|--------------------------------|
| | <u>Enacted</u> <u>Change</u> |
| Security Payments to DHS..... | 36 / +\$4 |

The adjustment is for estimated changes in the costs payable to the Department of Homeland Security resulting from changes in rates for office space and basic building security.

| | 2012 2013 |
|---|--------------------------------|
| | <u>Enacted</u> <u>Change</u> |
| Workers Compensation Payment Costs..... | 55 / +0 |

The change reflects the change in the amount that was charged in FY 2011 and will be reimbursed to the Department of Labor in FY 2013.

| | |
|---|------------------------------|
| TOTAL UNCONTROLLABLE COST CHANGES..... | ===== +\$69 |
|---|------------------------------|

Justification of Program and Performance

Activity: Salaries and Expenses

| | FY 2011 Enacted | FY 2012 Enacted | Uncontrollable Changes | Program Changes | FY 2013 Request | Change From FY 2012 |
|---------|--------------------|--------------------|---------------------------|--------------------|--------------------|---------------------------|
| (\$000) | 2,289 | 2,396 | +69 | -290 | 2,175 | -221 |
| FTE | 11 | 11 | 0 | -1 | 10 | -1 |

Authorization: 40 U.S.C. 104.

Program change from FY 2012 Budget Request: The Commission of Fine Arts is requesting a Salaries and Expenses appropriation of \$2,175,000 for FY 2013 to finance the expenses of the members of the Commission and the salaries and related costs necessary to support a small staff and maintain an efficient level of operations. This appropriation request represents a decrease of \$114,000 from the FY 2011 Enacted Budget and a decrease of \$221,000 from the FY 2012 Enacted Budget:

For the FY 2013, the Agency's uncontrollable increases total \$69,000. The uncontrollable increases include: a \$1,000 uncontrollable increase in rental payments to GSA; a \$4,000 increase in security payments to the Department of Homeland Security; and a net \$64,000 uncontrollable increase for personnel compensation and benefits without a cost-of-living pay raise, which will be offset by a net reduction of \$168,000 in the categories of travel, purchases of goods and services, supplies, materials, equipment, printing and reproduction, travel and transportation. The offset also includes the elimination of a temporary Full-Time Employee position that supports the agency's publication and outreach program, which will be substantially diminished. This position was included in the Commission's FY 2009, FY 2010, FY 2011, and FY 2012 Enacted Budgets.

The objectives of the Commission of Fine Arts staff are:

- To support the Commission which provides expert advice on architecture and art to the President, Congress, and various agencies of the Federal and District governments on proposed projects and existing conditions in the National Capital so as to safeguard and enhance the appearance and symbolic significance of Washington, D.C. This expertise is provided by seven Presidentially appointed, well-qualified judges of the arts who are supported by the small professional staff that oversees its continued operation.

- To assist the Commission and provide a professional level of artistic advice through review and liaison with the District of Columbia and Federal governments; to provide the administrative services that are required to support the Commission and communicate the advice of the Commission; and to keep accurate records of the Commission's actions.
- To provide professional support to the Commission in the administration of its approval authority over the design and location of battle monuments and commemorative works as required by the specific statutes authorizing them.
- To produce research on buildings, historic precincts, and general plans of the city of Washington. To make historical and architectural information generally available to the public, to other government agencies, and to the Commission. To identify buildings and areas of lasting merit so as to avoid destruction or impairment of those resources as plans evolve for the city. The specially trained staff of architects and historians performing this documentation and planning work is also available to the Commission on a case-by-case basis to provide supporting material on proposed projects, sometimes on very short notice.

Program Activities:

- The Commission of Fine Arts, an independent agency, reviews proposals affecting the appearance of Washington, D.C., and advises the President, the Congress, and the agencies of the Federal and District of Columbia governments on architectural designs and other matters of art. It also conducts liaison, research, and publication activities to further support the enhancement and preservation of the city. The Commission's approval on design and location of monuments and memorials is required as specified under the Commemorative Works Act and the American Battle Monuments Act.
- The Commission provides advice on the development of Washington through study, inspection, research, and expert consultation. The Commission maintains continual involvement in ongoing projects such as the International Center, the Federal Triangle, and other special areas of the City, and publishes studies on the historical development of Washington. Some of the material assembled is published so as to be permanently available to government agencies as well as the general public. Culminating a four-year effort, the publication of *A Centennial History of the Commission of Fine Arts* is anticipated in FY 2012.
- The Commission provides advice on design, planning, and historic preservation to the Federal and District of Columbia governments as well as to committees of Congress, which may have questions on matters specific to Washington or relating to their members' respective home states.

▪ The Commission, in its advisory and approval capacities, does not originate design projects; it is the recipient of project proposals. As the recipient, our activities are subject to the needs of other agencies, Federal and local, as well as those of private entities. Government construction projects materialize in response to the individual sponsors' needs and their schedules cannot be anticipated by the Commission. The initiation of private construction projects is even less predictable. The Commission must therefore be flexible by necessity. Its effectiveness and efficiency remain constant despite having no control over the number of proposals brought before it nor the relative size and importance of each item submitted. The Commission reviewed 100 percent of all proposals submitted for review within 45 days of receipt.

▪ The total number of all cases submitted to the Commission for review in FY 2011 was 685, an increase of nine percent from the year before. By jurisdiction, these increases are:

- In FY 2011, the Commission received 202 individual submissions from Federal and District of Columbia government agencies. This represents an increase in government submission of 5.2 percent above the FY 2010 submissions and more than 34.6 percent above FY 2009 submissions.
- Under the authority of the Shipstead-Luce Act, the Commission received 163 submissions from the District of Columbia government in FY 2011, an increase of approximately 3.2 percent above the FY 2010 submission rate and more than 49 percent above the FY 2009 submissions.
- Under the authority of the Old Georgetown Act, the Commission received 320 cases from the District of Columbia government in FY 2011, which is an increase of 42 cases from the year before and represents a 15.1 percent increase.

**COMMISSION OF FINE ARTS
SALARIES AND EXPENSES**

Program and Financing (in millions of dollars)

| Identification code 95-2600-0-1-451 | | 2011 | 2012 | 2013 |
|--|--|---------|---------|---------|
| | | Enacted | Enacted | Request |
| Obligations by program activity: | | | | |
| 10.00 | Total obligations | 2 | 2 | 2 |
| Budgetary resources available for obligation: | | | | |
| 22.00 | New budget authority (gross) | 2 | 2 | 2 |
| 23.95 | New obligations | -2 | -2 | -2 |
| New budget authority (gross), detail: | | | | |
| 40.00 | Appropriation..... | 2 | 2 | 2 |
| Change in unpaid obligations: | | | | |
| 73.10 | New obligations | 2 | 2 | 2 |
| 73.20 | Total outlays (gross) | -2 | -2 | -2 |
| Outlays (gross), detail: | | | | |
| 86.90 | Outlays from new current authority ... | 2 | 2 | 2 |
| Net budget authority and outlays: | | | | |
| 89.00 | Budget authority | 2 | 2 | 2 |
| 90.00 | Outlays (net) | 2 | 2 | 2 |

**COMMISSION OF FINE ARTS
SALARIES AND EXPENSES**

Object Classification (in thousands of dollars)

| Identification code 95-2600-0-1-451 | | 2011 Enacted | 2012 Enacted | 2013 Request |
|-------------------------------------|--|-----------------|-----------------|-----------------|
| Personnel compensation: | | | | |
| 11.1 | Full-time permanent..... | 1,020 | 1,094 | 1,039 |
| 11.3 | Full-time temporary | 100 | 105 | 0 |
| 11.5 | Other personnel compensation..... | 48 | 50 | 29 |
| 11.9 | Total personnel compensation | 1,168 | 1,249 | 1,068 |
| 12.0 | Personnel benefits: Civilian | 290 | 307 | 325 |
| 12.1 | Workers Compensation Payments | 66 | 55 | 55 |
| 21.0 | Travel and transportation of persons | 95 | 57 | 55 |
| 22.0 | Transportation of things..... | 3 | 4 | 4 |
| 23.1 | Rental payments to GSA..... | 231 | 282 | 286 |
| 23.3 | Communications, utilities, and miscellaneous charges..... | 42 | 30 | 31 |
| 24.0 | Printing and reproduction | 13 | 4 | 1 |
| 25.0 | Purchases of goods and services | 330 | 376 | 321 |
| 26.0 | Supplies and materials | 42 | 28 | 26 |
| 31.0 | Equipment | 9 | 4 | 3 |
| 99.9 | Total obligations | 2,289 | 2,396 | 2,175 |

**COMMISSION OF FINE ARTS
SALARIES AND EXPENSES**

Personnel Summary

| Identification code 95-2600-0-1-451 | 2011 Enacted | 2012 Enacted | 2013 Request |
|-------------------------------------|-----------------|-----------------|-----------------|
|-------------------------------------|-----------------|-----------------|-----------------|

Total compensable work-years:

| | | | |
|---|----|----|----|
| Full-time equivalent employment | 10 | 10 | 10 |
| Temporary full-time equivalent employment | 1 | 1 | 0 |
| Full-time equivalent overtime and holiday hours | 0 | 0 | 0 |

Appropriation Language Sheet

COMMISSION OF FINE ARTS

[National Capital Arts and Cultural Affairs]

[For necessary expenses as authorized by Public Law 99-190 (20 U.S.C. 956a), as amended, \$2,000,000] \$0. (*Department of the Interior, Environment, and Related Agencies Appropriations Act, 2012*)

No funding is requested for this grant program administered by the Commission of Fine Arts.

Justification of Program and Performance

Activity: Grants

| | FY 2011 Enacted | FY 2012 Enacted | Uncontrollable Changes | Program Changes | FY 2013 Request | Change From FY 2012 |
|---------|--------------------|--------------------|---------------------------|--------------------|--------------------|---------------------------|
| (\$000) | 2,994 | 1,997 | 0 | -1,997 | 0 | -1,997 |
| FTE | - | - | - | - | - | - |

Authorization: 99 Stat. 1261; 20 U.S.C. 956a

Objectives: The FY 1988 Department of the Interior and Related Agencies Appropriations Act transferred administrative responsibility for the National Capital Arts and Cultural Affairs program from the National Endowment for the Humanities to the Commission of Fine Arts. This program provides formula based grants for general operating support to District of Columbia non-profit arts and other cultural organizations. Eligible organizations must have an annual income, exclusive of Federal or pass-through Federal funds, in excess of \$1 million for each of the three years prior to their application for the grant. Grant awards are based on a formula in which 70 percent of the total funds appropriated for the fiscal year are distributed equally among all eligible organizations submitting applications, and the remaining 30 percent are distributed based on the amount of the organization's total annual income, exclusive of Federal funds, in proportion to the combined total of the annual income, exclusive of Federal funds, of all eligible organizations submitting applications. No organization will receive a grant larger than \$650,000.

No funding is requested for the National Capital Arts and Cultural Affairs grant program that is currently administered by the Commission of Fine Arts.

Activities: In FY 2011, this program helped support 25 nationally renowned organizations in the national capital, providing funding for operating expenses, jobs, and exhibits and performances.

In FY 2011, \$2.994 million in grants were awarded to the following 25 organizations.

| FY 2011 NCACA Grant Recipients | Grant | Grant as % of Operating Income* |
|--|--------------|--|
| Kennedy Center for the Performing Arts | 342,385.28 | 0.37% |
| Washington National Opera | 179,069.92 | 0.53% |
| National Symphony Orchestra | 167,068.80 | 0.57% |
| Corcoran Museum | 153,815.73 | 0.62% |
| Shakespeare Theatre | 133,499.61 | 0.76% |
| Arena Stage | 131,171.26 | 0.78% |
| Folger Shakespeare Library | 120,264.42 | 0.93% |
| Phillips Collection | 120,117.21 | 0.93% |
| Ford's Theatre | 113,762.98 | 1.07% |
| Washington Ballet | 106,966.66 | 1.30% |
| National Museum of Women in the Arts | 105,171.71 | 1.39% |
| National Building Museum | 104,515.95 | 1.42% |
| Washington Performing Arts Society | 104,462.71 | 1.43% |
| Meridian International Center | 101,291.51 | 1.64% |
| Studio Theatre | 99,520.62 | 1.79% |
| Hillwood Estate, Museum & Gardens | 95,762.07 | 2.26% |
| National Children's Museum | 94,771.40 | 2.44% |
| Woolly Mammoth Theatre Co. | 93,342.86 | 2.77% |
| Choral Arts Society | 92,805.93 | 2.91% |
| Textile Museum | 91,543.86 | 3.35% |
| Thelonious Monk Institute of Jazz | 91,361.01 | 3.42% |
| The Washington Chorus ** | 89,332.98 | 4.58% |
| Cathedral Choral Society | 87,557.64 | 6.62% |
| Gala Hispanic Theatre | 87,371.22 | 6.96% |
| Dance Place (DC Wheel Productions) | 87,066.66 | 7.59% |
| Total Grants | \$2,994,000 | |

* Operating income exclusive of other Federal or pass-through Federal funds.

** New grant recipient in 2011

**COMMISSION OF FINE ARTS
SALARIES AND EXPENSES**

Program and Financing (in millions of dollars)

| Identification code 95-2602-0-1-503 | | 2011 | 2012 | 2013 |
|--|---------------------------------------|---------|---------|---------|
| | | Enacted | Enacted | Request |
| Obligations by program activity: | | | | |
| 10.00 | Total obligations | 3 | 2 | 0 |
| Budgetary resources available for obligation: | | | | |
| 22.00 | New budget authority (gross) | 3 | 2 | 0 |
| 23.95 | New obligations | -3 | -2 | -0 |
| New budget authority (gross), detail: | | | | |
| 40.00 | Appropriation | 3 | 2 | 0 |
| Change in unpaid obligations: | | | | |
| 73.10 | New obligations | 3 | 2 | 0 |
| 73.20 | Total outlays (gross) | -3 | -2 | -0 |
| Outlays (gross), detail: | | | | |
| 86.90 | Outlays from new current authority... | 3 | 2 | 0 |
| Net budget authority and outlays: | | | | |
| 89.00 | Budget authority | 3 | 2 | 0 |
| 90.00 | Outlays (net) | 3 | 2 | 0 |